



INFORMATION MANAGEMENT AND SECURITY STANDARD

Intellectual Property

Approved By: Information Management and Security Governance Committee
Effective Date: 2018/01/30
Next Revision Due: 2021/01/30
Department / BU: Corporate Analytics and Innovation

GENERAL

This standard is an extension of the Information Management and Security Policy. Consequences of non-compliance with this standard are outlined in the policy.

PURPOSE

The purpose of this document is to describe The City's standards for the creation, ownership, use, acquisition and management of intellectual property as a corporate asset.

RESPONSIBILITY

Management of disclosure, acquisition, protection and release of intellectual property is managed centrally by the Intellectual Property Access and Marketing (IPAM) group within Innovation, Data and External Access (IDEA), Corporate Analytics and Innovation. Central management of intellectual property allows The City of Calgary to mitigate financial, legal and reputational risks while realizing administrative cost savings.

INTELLECTUAL PROPERTY ASSETS

Intellectual property includes, but is not limited to:

- Inventions, whether mechanical, chemical or otherwise, that constitute an improvement upon the existing level of art in an area, technology or process;
- Data, both spatial and tabular, including that derived from scanning, optical character recognition or other electronic means;
- Business methods or processes;
- Training materials; and
- Computer programs, routines, code and applications developed by or for The City of Calgary and which are owned by The City.



CREATING

Intellectual property is a type of information asset. As per the Information Management and Security Policy, “The Corporation of The City of Calgary, as a legal entity, is the owner of all City information assets. No authorized user, City department, business unit or division may ‘own’ City of Calgary information.”

Intellectual property created by City of Calgary staff, as part of their job descriptions, or as a result of a formal direction from management, or created by contract personnel while employed by The City of Calgary, becomes the property of The City of Calgary. By default, contracts for contractors, consultants and non-City staff grant The City of Calgary the right of ownership to created intellectual property unless otherwise agreed to in writing. If ownership is not granted to The City of Calgary, The City will be granted a perpetual license to use any resulting intellectual property. All exceptions must be approved by IPAM.

To ensure ownership and the ability to apply for a patent or other protection, projects that have the potential to create new intellectual property should be identified early on in the project process. Log books, meeting minutes and other associated documentation must be kept up to date to enable The City to legally claim the asset as ‘intellectual property’.

ACQUIRING

Acquisition of third-party intellectual property is subject to current corporate policies for the purchase of goods and services as well as signing authority. Agreements for the acquisition of third-party intellectual property must be in place and understood by the affected City division(s). This includes incorporating or embedding third-party intellectual property, such as computer code, into City-owned intellectual property. Affected City divisions are responsible for complying with the terms of use associated with third-party intellectual property.

DOCUMENTING AND PROTECTING

As a recognized City of Calgary information asset, all intellectual property will be assigned an information steward. The information steward is responsible for maintaining and granting internal access to the intellectual property as described in the *Access & Sharing Standard*. City staff that create intellectual property are eligible for recognition in accordance with the Corporate Recognition and Rewards program.

Intellectual property with potentially high value must be disclosed to IPAM for evaluation. The evaluation process is completed for all high-value intellectual property and intellectual property that will be accessed externally. The evaluation process may include but is not limited to, Market Assessment, Technical Assessment, Commercial Assessment, Management Assessment and Risk Assessment. Intellectual property evaluations are coordinated by IPAM in consultation with the affected City division(s).



An inventory of intellectual property is maintained centrally by IPAM.

All intellectual property must be classified in accordance with the *Information Security Classification Standard*. High-value intellectual property shall be classified as Confidential under the *Information Security Classification Standard*.

ACCESS AND SHARING

The release of intellectual property assets is managed centrally by IPAM in order to reduce risk and realize potential revenue. Intellectual property may be licensed but not sold. Intellectual property may be licensed at no cost, for a fee or exchanged. However, a license agreement is always required. For internal and external access and sharing of Intellectual Property, see the *Access and Sharing Standard*.

RESOURCES

Refer to the [Administration Policy Library](#) for the following:

Information Management and Security Policy

Corporate Records Management Policies and Program

REVISION HISTORY

Review Date	Description
2018 / 01 / 30	New Intellectual Property Standard reviewed and approved by Information Management and Security Governance Committee.